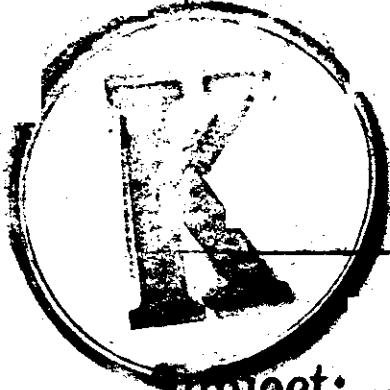


1946

Chairman Apt.
File No. 46

Legal Department

B. BRANCH



Subject:—The appointment of the members of the Assembly and the members of the Council to preside at the meeting of the B. L. A. and B. L. C. respectively, till the speaker and Presidents are elected

9.8
✓

File No. Chairman Apt /46

333-B

Secy.

The member appointed to perform the duties of the Speaker pending the election of the Speaker should normally be one who is well conversant with parliamentary procedure.

2. The following members of the present Legislative Assembly were appointed on the Panel of Chairmen of the previous Legislative Assembly:

1. Mr. C.P. Bramble (Independent)
2. Mr. I. I. Chundrigar (Muslim League)
3. Mr. Sir Sorabji Saklatvala (Independent)
4. Mr. H.V. Patasker (Congress)
5. Mr. D.N. Desai (Congress-Minister).

3. Of these Sir Sorabji Saklatvala or Mr. C.P. Bramble would perhaps be the most suitable for appointment. The selection rests with H.E. in his discretion.

Id/-

P.N.M.

6/5/46.

R.D.P.
13/7/56

S.C.

8
6-8-56

NOTIFICATION.

Legal Department.

Bombay Castle, 14th May 1946.

Government of
India Act, 1935.

No. 3617.- In pursuance of sub-section (3) of section 65 of the Government of India Act, 1935, the Governor of Bombay acting in his discretion is pleased to appoint Sir Sorabji Dorabji Saklatvala, M.L.A., to be the person by whom when the duties of the office of the Speaker of the Bombay Legislative Assembly until a Speaker has been chosen by the said Assembly shall be performed.

By order of the Governor of Bombay,

Id/- P.N.M.

Secretary to the Government of Bombay
Legal Department.R.D.P.
13/7/56

S.C.

No. 3618

Legal Department.

Bombay Castle, 14th May 1946.

Forwarded with compliments to the Manager
Government Central Press, Bombay for publication
in the Bombay Government Gazette, dated the 16th
May 1946.

Id/-

14/5

Assistant Secretary to the Government of
Bombay,

Legal Department.

No. 3619

Legal Department.

Bombay Castle, 14th May 1946.

Copy forwarded with compliments to:-

Sir Sorabji Dorabji Saklatvala, M.L.A.,

The Secretary to the Governor,

The Chief Secretary to the Government of
Bombay.

The Secretary to the Bombay Legislative
Assembly,

for information.

Id/-

14/5

Assistant Secretary to the Government of
Bombay.

Legal Department.

R.D.P.
13/7/56

S.C.

NOTIFICATION.

Legal Department.

Bombay Castle, 14th May 1946.

Government of
India Act, 1935.

No. 3620 .- In exercise of the powers conferred by section 57 of the Government of India Act, 1935, the Governor of Bombay is pleased to appoint Sir Sorabji Dorabji Saklatvala, M.L.A., until the Speaker is ^{chosen} ~~chosen~~ by the Bombay Legislative Assembly and thereafter the Speaker of the Bombay Legislative Assembly to be the person before whom members of the Bombay Legislative Assembly shall make and subscribe the oath before taking their seats.

By order of the Governor of Bombay

Id/- P.H.M.

Secretary to the Government of Bombay.

Legal Department

R.D.P.
13/7/56

S.C.

No.3620

Legal Department.

Bombay Castle, 14th May 1946.

Forwarded to the Manager, Government Central Press
Bombay, for publication in the Bombay Government
Gazette, dated the 16th May 1946.

Id/- K.M.Chitnvis,

Assitant Secretary to the Government of Bombay,
Legal Department.

No. 3622

Legal Department.

Bombay Castle, 14th May 1946.

Copy forwarded with compliments to:-

Sir Sorabji Dorabji Saklatvala, M.L.A.,

The Secretary to the Governor,

The Chief Secretary to the Government of Bombay

The Secretary to the Bombay Legislative Assembly,

for information

16/-

14/5

Assistant Secretary to the Govt. of Bombay;

Legal Department.

R.D.P.
13/7/56

S.C.

Sir Sorab Saklatvala, Kt.
T A T A S O N S L I M I T E D
Bombay House
Bruce Street, Fort
BOMBAY.

Phone 26041.

11th May 1948.

CONFIDENTIAL.
URGENT

Dear M.M.Moss

With reference to your D.O. Letter No.208+Conf1. of date, I am willing to accept the Chairmanship which H.E. the Governor has kindly offered to me.

Yours sincerely,

Sd/-

11/5/48.

P.N.Moss, Esq.,
Legal Department,
Secretariat,
Bombay.

R.D.P.
13/7/56

B.C.

Sir Sorabji Saklatvala was sworn in by
H.E. on the 18th of May 1946 at Government House.

His affirmation is sent herewith.

Id/-

18/5/46

R.D.P.
13/7/56

S.C.

FORM OF OATH.
AFFIRMATION.

I, Sorabji Dcrabji Saklatvala, having been e
elected a Member of the Bombay Legislative Assembly
do solemnly affirm that I will be faithful and bear
true allegiance to His Majesty the King, Emperor of
India, His heirs and successors, and that I will
faithfully discharge the duty upon which I am about
to enter.

Signature

Before Me.

GOVERNOR OF BOMBAY.

Government House

Bombay, 18th May 1946.

R.D.P.
13/7/56

S.C.

Office of the R.L.A.

The Hon'ble Mr. G.V.Mavlankar has been duly elected to the Central Legislative Assembly as being the only candidate from the Northern Division Non-Muhammadan Rural Constituency. The Commissioner, N&D., and Returning Officer has been asked to report without delay the result of the election under rule 14(9) of the Legislative Assembly Electoral Rules to the Secretary to the Government of India in the Legislative Department. After 10 days from the date the result of the election to the Central Legislative Assembly is notified in the Gazette of India his seat in the Bombay Legislative Assembly will become vacant under rule 4 of the Bombay (Prohibition of Simultaneous Membership) Rules 1936.

2. He will not however cease to be the Speaker of the Bombay Legislative Assembly under section 65(2) of the Government of India Act, 1935, since the operation of that section has been suspended by the Proclamation. Attention is invited to para 1 of R.L.A's opinion No.249-Confl. dated 21st November 1939. As has been pointed out therein the effect of the suspension of the operation of section 65 is that whatever has already been done under or by virtue of the said section remains but no further action can be taken under or by virtue thereof.

3. It is proposed to dissolve the Assembly on the 26th November 1945. Since, however, it is not proposed to revoke the suspension of sec.65 under the Proclamation till after the elections are held, Mr. Mavlankar will continue to be the Speaker of the Assembly not only till the 26th November 1945 on which it is proposed to dissolve the Assembly but also thereafter till the Proclamation is revoked and the operation of section 65 is restored. When sub-section(2) of section 65 is revised, he will vacate his Speakership under that sub-section forthwith, and although the point is not free from doubt the better view to take is that the proviso

to sub-section (2) has no occasion to operate.

4. There is at present no Deputy Speaker to the Bombay Legislative Assembly. Mr.N.G.Joshi who was the Dupty Speaker of the Assembly died on 9th April 1946.

Sd/- P.N.Moss.

Remembrancer of Legal Affairs.

U.R. to G.S.'s Office, No.8460,dated 2 13-11-46.

R.D.P.
14/7/56

S.C.